

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-vs-

JON PURIZHANSKY,

Indictment No. 06-cr-378

Defendant

SENTENCING MEMORANDUM

/S/ Joel L. Daniels

JOEL L. DANIELS, ESQ.
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Federal Centre
138 Delaware Avenue
Buffalo, NY 14202

United States Probation Department
Attn: Michael Quarantillo, PO
68 Court Street
Buffalo, NY 14202

Jon Purizhansky is scheduled to be sentenced before you March 5, 2007 at 9:00 a.m.

Mr. Purizhansky earlier pled guilty to Conspiring to Obtain a Visa through a False Statement (18 USC §371). The PSR, prepared by Mr. Quarantillo, calculates a total offense level of six (0-6).

Mr. Purizhansky and his family show the determination and work ethic typified by countless European Immigrants. Born in Mogilev in the Republic of Belarus, Jon Purizhansky's parents were victims of Soviet Anti-Semitism. Jon Purizhansky's father Edward has a Doctorate in Mechanical Engineering; his mother Paulina is an Internist. Jon's younger sister Irene was also born in Mogilev.

Being Jewish, the Purizhanskys had "Jew" stamped on their passports. As a result, his parents were barred from a number of professions and denied advantages of advanced education or good jobs. After Mikhail Gorbachev became President of the Soviet Union, his "perestroika" policy eased immigration requirements for millions of Soviet Jews. Although many immigrated to Israel, the Purizhansky family chose to enter the United States. After living in various refugee centers in Austria and Italy, the Purizhanskys applied for refugee status in the United States and entered on May 17, 1989.

Jon Purizhansky was 16 years old when he came to America. He and his family first lived on Massachusetts Avenue on Buffalo's lower Westside, eventually moving to North Buffalo and then Williamsville. Ed Purizhansky found work as an engineer. His wife Paulina, soon passed the foreign Doctor's exam becoming licensed as an Internist. Paulina Purizhansky practices with the Buffalo Medical Group. Jon Purizhansky spoke hardly any English when he arrived here, but he learned quickly and was admitted to Park School on a scholarship. After graduation, he enrolled in the University of Buffalo, graduating in 1985 with a Bachelor of Science Degree in Biochemical Pharmacology. Deciding to choose law over pharmacy, Jon Purizhansky was accepted at UB Law School, graduating in 1988 and admitted to practice as an Attorney in February, 1999. The only Russian speaking lawyer in Western New York, Jon specialized in immigration law representing a number of recently arrived immigrants from the Soviet Union.

John Purizhansky's sister, Irene, is a physician specializing in OB/GYN. She and her husband live in San Francisco.

Jon Purizhansky filed a Petition for a non-immigrant worker Visa (I-129) for Levon Avakov with the US Immigration and Naturalization Service. In this Petition it was claimed that Mr. Avakov would be working as an electrical engineer at a local company earning \$45,000 per year. This information was not correct. Mr. Purizhansky made no money for helping Mr. Avakov, a family friend. He charged no fees; he made no profit.

As explained by Mr. Quarantillo in the PSR (¶10, p.4), Mr. Purizhansky filed this false document with the Visa application as a favor for the husband of one of his wife's friends.¹

Briefly, Mr. Avakov is a native of Armenia. His wife, also an Armenian, is a friend of Kira (Hertzberg) Purizhansky, Jon's wife. Kira Purizhansky is a native of Baku. (Her parents, both Doctors, now live in Israel.)

On February 27, 1988, mobs of Muslims attacked and killed thousands of Armenians in a bloody program in Baku. Kira Purizhansky and her family witnessed this slaughter.

Those surviving Armenian families were no longer safe in Azerbaijan. Many resettled in Russia where they faced discrimination and persecution. Wanting to immigrate from Russia to the United States, Mr. Levon Avakov's wife asked Jon Purizhansky for help. For these reasons, Jon Purizhansky admittedly filed this false Visa Petition.

Jon Purizhansky is a committed Zionist. He and his wife and two children plan to live and work in Israel. In fact, Jon Purizhansky met his wife Kira in Israel in May, 1999. Mr. Purizhansky has visited Israel almost thirty times in the last seven or eight years. Until recently, he and his family were living in an apartment outside of Tel Aviv. Mr. Purizhansky started Expert Relocations Solutions, an Israeli company finding jobs for individuals, primarily Southeast Asians, in countries

¹ This background to this story involves the infamous Armenian Program of February, 1988 in Baku, Azerbaijan. This is fully explained in the two-page attachment to Mr. Quarantillo's PSR. (Copy also annexed.)

around the world. As an example, Mr. Purizhansky recently found construction jobs for a number of Nepalese citizens to work in Kiev (Ukraine). Mr. Purizhansky's experience with different languages and cultures proves a great asset to him in his company's potential success.

Following Jon Purizhansky's guilty plea, the Appellate Division, Fourth Department, on December 8, 2006 automatically suspended him from the practice of law. He has been ordered to appear before the Appellate Division April 3rd at 2:00 p.m. to show cause why further discipline should not be imposed. The undersigned respectfully anticipates asking the Appellate Division to consider a suspension, not disbarment.

Attached are 17 letters from friends describing Jon as a young man of compassion and courage.² One of the letter writers, Roman Abramov writes of how Jon helped victims of a suicide bomber outside a Tel Aviv night club:

“I would like to bring your attention to the fact that on February 25, 2005, when a suicide bomber committed a terrorist attack at the Stage Nighclub in Tel-Aviv and dozens of people died, Jon was one of the first people to rush to the scene of the attack . At the site, he was helping people move out despite the possibility that the second terrorist could have been awaiting for the people around the site to gather so that a more effective attack could be committed.”

Jon Purizhansky has accomplished a great deal, overcoming language and cultural obstacles. He has paid a stiff price for his admitted wrong-doing in this case. He is a convicted felon; his law license is in jeopardy.

² Included is a 3-page unsigned letter from Attorney Herb Siegel dated January 4, 2007. The undersigned believes Mr. Siegel sent the original letter directly to this Court.

Jon Purizhansky and his family hope they're able to return to Israel as soon as practicable. Jon Purizhansky's business is there, and that is where he wants to live and work. Not only does he have great plans for his company, but Jon Purizhansky hopes some day to be involved in Israeli politics.

Under the circumstances, the undersigned respectfully asks this Court to consider unsupervised probation.

DATED: February 14, 2007

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CERTIFICATE OF SERVICE

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Defendant

I hereby certify that on February 14, 2007, I electronically filed the foregoing with the Clerk of the District Court using its CM/ECF system, which would then electronically notify the following CM/ECF participants on this case:

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